Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1-17. (Canceled)

18. (New)   A system for providing data filtering from a cable modem termination system (CMTS) in a cable data network comprising:

the CMTS, wherein the CMTS comprises a first network interface, a second network interface, a
    data gateway agent, and wherein the CMTS is configured for obtaining a packet count from
    a packet counter, wherein the packet count is determined from at least one of a downstream
    packet count indicative of packets received via the first network interface and sent to a
    subscriber device via the second network interface and an upstream packet count indicative
    of the packets received from the subscriber device via the second network interface for
    transmission via the first network interface; and

a datastore accessible to the data gateway agent for storing a selected data transfer rule, wherein
    a selected data transfer rule comprises packet content criteria selected by a subscriber, and

wherein the data gateway agent receives the packets via the first network interface prior to
    receipt of the packets by the packet counter, accesses the datastore, compares a packet to
    the packet content criteria, and if the packet satisfies the packet content criteria of the data
    transfer rule, then forwards the packet to the packet counter for counting, and if the packet
    does not satisfy the packet content criteria of the data transfer rule then applies a corrective
    measure to the packet.

19. (New)   The system of claim 18, wherein the packet counter is located in the CMTS.

20. (New)   The system of claim 18, wherein the packet counter is located in the subscriber device.

21. (New)   The system of claim 18, wherein the corrective measures are selected from the group consisting of discarding the packet before counting the packet by the packet counter; sending the packet to the packet counter and reducing the packet count by one; and before counting the packet by the packet counter, transmitting to the subscriber a notification that the packet does not satisfy the packet content criteria and awaiting a selection by the subscriber whether to forward the packet or discard the packet.

22. (New)   The system of claim 18, wherein the packet content criteria are selected from the group consisting of a source address, a destination address, a URL, a port identifier, a transport protocol identifier, an application protocol identifier, and a keyword in a packet payload.

23. (New)   The system of claim 18, wherein the CMTS further comprises a billing agent and wherein the billing agent is configured to receive a subscriber count trigger and to transmit a count message to the subscriber comprising a current packet count upon the occurrence of the subscriber count trigger.

24. (New)   The system of claim 23, wherein the subscriber count trigger is selected from the group consisting of an end of billing cycle, a receipt of subscriber count request message, a subscriber count exceeding a subscriber selected trigger amount, and a subscriber count exceeding data over a cable carrier selected trigger amount.

25. (New)   A method for providing subscriber controlled data filtering from a cable modem termination system (CMTS) in cable data network comprising:

obtaining at the CMTS a packet count from a packet counter, wherein the packet count is
determined from at least one of a downstream packet count indicative of packets received
via the first network interface and sent to a subscriber device via the second network
interface and an upstream packet count indicative of the packets received from the
subscriber device via the second network interface for transmission via the first network
interface; and

storing a selected data transfer rule in a datastore accessible to a data gateway agent component
of a cable modem termination system, wherein a selected data transfer rule comprises
packet content criteria;

prior to receiving a packet at the packet counter, receiving a packet at the data gateway agent;

at the data gateway agent, comparing the packet to the packet content criteria;

if the packet satisfies the packet content criteria, then forwarding the packet to the packet counter
for counting; and

if the packet does not satisfy the packet content criteria, then applying a corrective measure to the packet.

26. (New)   The method of claim 25, wherein obtaining at the CMTS a packet count from a packet counter comprises obtaining at the CMTS a packet count from a packet counter located in the CMTS.

27. (New)   The system of claim 25, wherein obtaining at the CMTS a packet count from a packet counter comprises obtaining at the CMTS a packet count from a packet counter located in the subscriber device.

28. (New)   The method of claim 25, wherein applying a corrective measure to the packet comprises applying a corrective measure to the packet selected from the group consisting of discarding the packet before counting the packet by the packet counter; sending the packet to the packet counter and reducing the packet count by one; and before counting the packet by the packet counter, transmitting to the subscriber a notification that the packet does not satisfy the packet content criteria and awaiting a selection by the subscriber whether to forward the packet or discard the packet.

29. (New)   The method of claim 25, wherein comparing the packet to the packet content criteria comprises comparing the packet to the packet content criteria selected from the group consisting of a source address, a destination address, a URL, a port identifier, a transport protocol identifier, an application protocol identifier, and a keyword in a packet payload.

30. (New)   The method of claim 25 further comprising:

receiving at a billing agent a subscriber count trigger; and

transmitting a count message to the subscriber comprising a current packet count upon the
       occurrence of the subscriber count trigger.

31. (New)   The system of claim 23, wherein receiving at a billing agent a subscriber count trigger comprises receiving at a billing agent a subscriber count trigger selected from the group consisting of an end of billing cycle, a receipt of subscriber count request message, a subscriber count exceeding a subscriber selected trigger amount, and a subscriber count exceeding data over a cable carrier selected trigger amount.